

EXHIBIT 5

BEAUMONT INDEPENDENT SCHOOL DISTRICT

Police Department

Formal Internal Investigation

SPN

I understand that this is an internal administrative investigation only.

SPN

I understand that I will be asked and am required to answer all questions specifically related to the performance of my duties and my fitness for office.

SPN

I understand that all questions specifically related to my employment must be fully and truthfully answered.

SPN

I understand that if I refuse to answer these questions, I can be subject to discipline that can be as much as discharge or removal from office.

SPN

I understand that any answers I give are to be used solely for internal administrative purposes and may not be used in any subsequent criminal prosecution should such occur.

SPN

I understand that the purpose of the interview is to obtain information to determine whether disciplinary action is warranted. The answers obtained may be used in disciplinary proceedings resulting in reprimand, demotion, suspension, or dismissal.

BEAUMONT INDEPENDENT SCHOOL DISTRICT

Police Department

SWORN AFFIDAVIT

STATE OF TEXAS

Statement Date: 11/4/2022

COUNT OF JEFFERSON

Statement Time: 4:18pm

Before me, the undersigned authority, appeared *Shanter R. Norman*, who, after being sworn on his/her oath deposes and says:

My name is Shanter R. Norman. I am 47 years of age. My date of birth is 2/5/75. I have been a peace officer for 8 years and 7 months. I have been employed with the BISD Police Department for 2 years.

NARRATIVE

I Officer S. Norman be it sound mind and sound body, was formally complained on by the Beaumont I. S.D. Police Department. I was told my complainant was Lieutenant P. Haynes. She also stated she was my investigator. I received a formal complaint notification for Employee Misconduct. Case#F.22-23.01. This allegation supposedly arose from a Facebook post I posted, while on lunch break. It was a prayer to myself and it did not single out any agency or supervisors of my present or previous employment. I believe these allegations are subjective, as stated on a generic complaint form. Lt. P. Haynes state in her complaint form, "To me, it reflects his current employer BISD Police Department Supervisors." I believe this is an attempt of defamation of character. I have yet to receive a formal complaint from any accusers, with a perjury, aggravated perjury or sworn statement. I was recently advised by Lt. P. Haynes that I was anonymously complained on, which states I have no accusers but her. I asked who where my accusers and she could not tell me, she stated it was anonymous. Per the 6th amendment of the US Constitution which states, "to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him." Per Texas Occupation Code 1101.204

An investigation or other action against a person licensed under this chapter or Chapter 1102 may not be initiated on the basis of an anonymous complaint. Lt. P. Haynes has no direct knowledge of the accusations but wishes to represent

an anonymous complaint per an unknown third party. Because of this I would like this formal complaint dismissed and remove from my file.

GARRITY STATEMENT

On 11/4/22 at the Beaumont Independent School District Police Department, I was ordered to submit this affidavit by Lt. P. Haynes, I submit this affidavit at his order as a condition of employment. In view of possible job forfeiture, I have no alternative but to abide by this order. It is my belief and understanding that the Department requires this affidavit solely and exclusively for internal purposes and will not release it to any other agency. It is my further belief that this affidavit will not and cannot be used against me in any subsequent proceeding other than a disciplinary proceeding within the confines of the Department itself. For any and all other purposes, I hereby reserve my constitutional right to remain silent under the Fifth and Fourteenth amendments to the United States Constitution and other rights prescribed by law. Further, I rely specifically upon the protection afforded me under the doctrines set forth in Garrity vs. New Jersey 385 U.S. 493 (1967) and Spevack vs. Klein, 385 U.S. 511 (1967), and Gardner vs. Broderick 392 U.S. 273 (1968), should this affidavit be used for any other purpose of whatsoever kind or description.

I HAVE READ MY AFFIDAVIT (A GOVERNMENT RECORD) AND I HEREBY SWEAR UNDER THE PENALTY OF PERJURY THAT IT IS TRUE AND CORRECT SO HELP ME GOD.

S. Norman
AFFIANT

11-4-22
Date

Subscribed and sworn to before me this ^{4th} day of ^{Nov.}, 2022.

Michelle R. Martinez
Notary Public

